

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
) 04-6021-01-CR-SJ-FJG
SEAN K. OWENS,)
)
Defendant.)

REPORT AND RECOMMENDATION

On May 11, 2005, defendant moved for a judicial determination of mental competency. Defendant was examined by Jason V. Dana, Psy. D., a clinical psychologist, who prepared a report dated July 25, 2005.

On August 12, 2005, I held a competency hearing. Defendant was present, represented by John R. Osgood. The government was represented by Assistant United States Attorney Daniel M. Nelson. The parties stipulated to the contents and findings of Dr. Dana (Tr. at 2-3).¹

Based upon the uncontested evidence stipulated to by the parties in this case, I find that Defendant is competent to stand trial and to assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding defendant competent to stand trial and to assist in his defense.

It is

ORDERED that each party has until August 23, 2005, to file and serve specific objections (Tr. at 3).

¹“Tr”. refers to the transcript of the competency hearing.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
August 22, 2005